

**NEW YORK STATE TRANSPORTATION LAW
(SECTION 14-f) HAZARDOUS MATERIALS**

IS THE VEHICLE OUT OF SERVICE?

YES

NO

NON-CORRECTABLE

ALL OTHER VIOLATIONS
THESE VIOLATIONS ARE CORRECTABLE.
IF NOT REPAIRED THE FINES ARE.
FIRST CONVICTION (\$350-\$1000)
SECOND CONVICTION (\$1000-2500)
No Mandatory Surcharge

**OUT OF SERVICE (O/O/S)
Relating to Brakes, Steering and
Coupling Devices**
First Conviction
(\$500 - \$1500)

SECOND CONVICTION
(WITHIN 18 MONTHS)
(\$1500 - \$2500)

No Mandatory Surcharge

**OUT OF SERVICE (O/O/S)
ALL OTHER VIOLATIONS**

FIRST CONVICTION
(\$350-\$1000)

SECOND CONVICTION
(WITHIN 18 MONTHS)
(\$1000-\$2500)

No Mandatory Surcharge

**PAPERWORK AND DRIVER
VIOLATIONS**
FIRST CONVICTION
(\$350-\$1000)

SECOND CONVICTION
(WITHIN 18 MONTHS)
(\$1000-\$2500)

No Mandatory Surcharge

OPERATION OF OUT OF SERVICE VEHICLE

FIRST CONVICTION (MISDEMEANOR)
(\$2500-\$5000) AND/OR (ONE YEAR CONFINEMENT)
(MANDATORY SURCHARGE- \$175 + \$CVAF-\$25+\$5 T/V = \$205.00)

SECOND CONVICTION WITHIN 18 MONTHS
(E FELONY) (\$3500-NO LIMIT)

Refer to **VTL Section 510 a** for Suspension/Revocation Sanctions Link below
<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

REQUIRES/DEMANDS OPERATION OF O/O/S VEHICLE

Fine Only: \$2500 to \$10000 (No other sanctions indicated)

Refer to **Transportation Law Section 140.2D (v) (b)** at the link below:
<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

SPECIAL CONSIDERATION

VTL 510-a, 3 (c)

(c) A commercial drivers license shall be suspended by the commissioner for a period of sixty days where the holder is convicted of a violation of subdivision (g) of section eleven hundred eighty of this chapter, and (i) the recorded or entered speed upon which the conviction was based exceeded the applicable speed limit by more than twenty miles per hour or (ii) the recorded or entered speed upon which the conviction was based exceeded the applicable speed limit by more than ten miles per hour and the vehicle was either (A) in violation of any rules or regulations involving an out-of-service defect relating to brake systems, steering components and/or coupling devices, or B)transporting flammable gas, radioactive materials or explosives.

HELPFUL WEBSITES

NEW YORK STATE ASSEMBLY WEBSITE LINK TO STATE LAWS

<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

CDL Suspension and Revocation Section.

This site will guide you to all relevant sections of the Commercial Driver License revoke and suspensions sections under Section 510a of the Vehicle and Traffic Law. Special attention should be given to this section of law when specified sections of law are determined to be SERIOUS TRAFFIC VIOLATION that would mandate further sanctions in addition to fines and fees.

VTL Sections 1805 and 1806 (Authorized Pleas by mail)

1.Access to Federal Motor Carrier Safety Regulations

Federal Motor Carrier Safety Administration Website

<http://www.fmcsa.dot.gov/>

Or

New York State Department of Transportation Website

<https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/truck/regulations>

Or

NATIONAL JUDICIAL COLLEGE CDL WEBSITE

<http://www.cdlresources.org/>

2.ACCESS to 17 NYCRR, PART 820 (NYS adoption of Federal Regulations)

<https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/truck/regulations>

3.Statement of Correction Forms

<https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/repository/STATEMENT OF CORRECTION.pdf>

4.WEBSITE ACCESS TO SENTENCING FLOWCHARTS

New York State Magistrates Association

<http://nysmagassoc.homestead.com/>

Or

Town and Village Justice Court Website

http://nycourts.gov/courts/townandvillage/judges_only/educationTraining.shtml

Or

National Judicial College CDL Website

<http://www.cdlresources.org/>

Note: The National Judicial College site also has some very good resources and links to every state.